



290 S. Castell Avenue, Ste 100
New Braunfels, TX 78130
TBPE-FIRM F-10961
TBPLS FIRM 10153600

October 1, 2021

City of New Braunfels
Planning Department
550 Landa Street
New Braunfels, TX 78130

RE: Waiver Request – Herber Estates Subdivision
Section 118-49(a)(1) - Sidewalks

To Whom It May Concern:

Please accept this letter as a waiver request to Herber Estate Subdivision (Property Number 71669). HMT is requesting a waiver to Section 118-49(a)(1) – Sidewalks stating that “On the subdivision or development side or sides of all major thoroughfares or arterial streets as indicated on the city's thoroughfare plan, or a major thoroughfare as determined by the planning commission, and on perimeter streets.” This waiver is a request to allow for not building a sidewalk along the frontage of IH 35 NB Frontage Road at Herber Road (~STA 1181+00).

This request is primarily due to avoid ineffective and redundant operations. The site in question is approximately 30’ on the I-35 NB Frontage near Watson Lane W. As it currently stands (Attachment 1), there are no sidewalks located along the frontage road for approximately 4.3 miles (nearest sidewalk is in the Creekside Shopping Center). The TxDOT planned project for the I-35 Comal County Operational Improvements Northern Project extends from the Guadalupe River to the Comal/Hays County Line. As seen in Attachment 2, a sidewalk is planned along the frontage. Also seen in Attachment 2 is that the location of I-35 NB Frontage Road will be relocated and shifted over closer to the interstate. TxDOT also has informed us that they do not see the need to require the sidewalk at this time. Under current conditions, if a sidewalk is constructed along the frontage, it will not have any connections for several miles, it will not tie-in with the future sidewalk along the frontage road, and it will be demolished or abandoned during the TxDOT construction process. Also attached for your reference are the boundary survey and final plat for the property.

A secondary option from the recommendations from the City of New Braunfels review for final plat stated, “A six (6) foot wide sidewalk will be constructed along Interstate 35 per City standards by the owner/developer of Lot 1, Block 1 at the time of the building of construction on Lot 1 Block 1. (NBCO I18039(h))”. This proposes delaying the sidewalk until development construction; however, as mentioned earlier, this sidewalk will not have any connections or tie into the future TxDOT sidewalk.

In our professional opinion, the granting of this waiver will not adversely affect the health, welfare and safety of our New Braunfels residents and visitors. We feel this waiver request is not only in harmony with the intent of the City of New Braunfels Platting Ordinance, but will also prevent redundant operations and wasting resources.

Please contact me if you have any questions or comments.

Thank you,

William B. Ball, PE
Senior Project Manager

